

MINUTES OF THE SELMA CITY COUNCIL
NOVEMBER 13, 2006
5:00 P.M.

Call to Order

Invocation: Pastor Doris Moultrie

Grace Fellowship Church

Pledge of Allegiance

Roll Call

The Selma City Council met in a regular session in the Council Chambers of City Hall on Monday, November 13, 2006 at 5:00 p.m. with the following members present during roll call: Council President George Evans and Council members Cecil Williamson, Jean T. Martin, Samuel Randolph, Johnnie M. Leashore, Bennie R. Crenshaw and Jannie M. Venter. Councilman Reid Cain was absent during roll call, and arrived at 5:08 p.m. Councilwoman Geraldine Allen was absent during roll call, and arrived at 5:17 p.m. Others present were Mayor James Perkins, Jr., City Clerk Lois Williams, Assistant City Clerk Ivy S. Harrison, City Attorney Jimmy Nunn, City Treasurer Cynthia Mitchell, and the Mayor's Executive Assistant Darlene Rudolph.

APPROVAL OF AGENDA:

A motion was made by Councilman Williamson, and seconded by Councilwoman Allen, to approve the agenda as written. **The motion carried with a unanimous vote (show of hands) of the Council.**

APPROVAL OF MINUTES:

After approval of the agenda, President Evans asked for a motion to approve the minutes of the October 9, 2006 regular meeting. During discussion, a motion was made by Councilman Cain, and seconded by Councilwoman Martin, to approve the minutes, with the attachment of the discussion. **The motion passed with a majority vote (show of hands) of the Council. Councilwoman Crenshaw, Councilwoman Venter, and Councilman Leashore abstained.**

President Evans then asked for a motion to approve the minutes of the October 23, 2006 regular meeting. A motion was made by Councilman Leashore, and seconded by Councilwoman Allen, to approve the minutes of October 23, 2006 as written. **The motion carried with a unanimous vote (show of hands) of the Council.**

CITIZENS' REQUESTS

Mr. David Blackmon

Re: Enforcement of Sales Tax and Enforcement of Copyright Issues

Dr. Monica Newton

Re: City's Neighborhood Watch Meeting ("How to Start a Neighborhood Watch" Guide) - Recognition of National Award for Crime Prevention

Ms. Jane Walker

Re: AMSTI (Alabama Math and Science Technology Initiative) - Wallace Community College

Ms. Sherica Braxton-Hatcher

Re: C.I.T.Y. Program

Mrs. Debra Spicer, Mrs. Laurine Pettway and Ms. Gladys King

Re: Community Outreach Organization

I. MAYOR'S REPORT

A. **Resolution #R115-06/07 - Purchase of 111 Acres of Real Estate.** Mayor Perkins stated he wanted to address the Council as it relates to questions that were raised concerning the land transaction. Mayor Perkins further stated the majority of the questions were answered during Thursday's Work Session, but there were a "couple" of questions that were not answered. Mayor Perkins also stated the questions that were not answered deals specifically with the language received. Mayor Perkins stated the questions that were not answered deals specifically with the language that is from the financial institution, specific to the terms. Mayor Perkins stated there

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was a question as to whether or not the bank was willing to finance the entire \$1,000,000.00, and the answer to that question is yes, but the City is not asking them to. Mayor Perkins stated the next question dealt with details as to the type of loan, fixed or variable rate, years of financing, etc. Mayor Perkins stated the information provided by the bank as a discussion of loan commitment and terms of that is included in the document. Mayor Perkins stated the next question was, what is the purpose of the loan? Mayor Perkins stated he has met with the City's attorney, bank's attorney and bond attorney as it relates to the development of the 111 acres of real estate for a proposed school site, park or cemetery, or for some other purpose deemed to be suitable for public use by the Council. Mayor Perkins further stated after talking with the City's attorney, the bank's attorney and bond attorney, it is left up to the Council as to what the purpose will be, and that can be determined as the City proceeds with development of the land. Mayor Perkins stated the next question that was asked was, what is the exact plan for the land? Mayor Perkins stated the exact plan for the land is to develop it, and to have the Council, citizens and everyone work together and develop a strategy. Mayor Perkins further stated in order to do that, we would have to own it. Mayor Perkins stated the next question was, what community development, other than a school or cemetery, would be there, in addition to, the proposed time lines for development? Mayor Perkins stated the ultimate decision would be left up to the Council. Mayor Perkins also stated, as it relates to the proposed time line for the development of this land, he would like to see it happen fast, but it is up to the Council. Mayor Perkins stated the 4th question deals with details of the appraisal, and he thinks these questions were answered during Thursday's Work Session. Mayor Perkins stated the details of the appraisal in terms of the area described as flood plane, and the clay soil, as well as, the question concerning the creek were answered by the surveyor and the environmentalist. Mayor Perkins stated the next question dealt with the amount of sewerage lines in that area, and the possible health hazards, if any. Mayor Perkins further stated the appraisal and surveyor indicate it is a plus to have sewerage lines in there already; cost effective. Mayor Perkins also stated there were no health hazards. Mayor Perkins stated the anticipated estimate of land development in terms of money and preparation of soil for land construction depends on what the City intends to do with the land; a nice shopping center or mall could go there as well but it would really depend on what the City's intent to use the land would be. Mayor Perkins stated if it is decided to put a school there, Selma High sits on about 18 acres of land where it is now; there is still some 80 acres of land that can be developed into something else; any number of developmental issues. Mayor Perkins stated the next question of what line item will be appropriated for the \$100,000.00 deposit is outlined in Resolution R115-06/06, which describes a down payment of \$50,000.00 and 10 monthly loan payments totaling \$42,000.00 to be obligated from the Community Reinvestment Account, for a combined total of \$92,000.00 towards the purchase of the land, which would not affect the General Fund Account at all. Mayor Perkins stated the final question of, can we maintain a note such as the one required for a note of \$1,000,000.00 along with other expenses made; for instance, the present lawsuit of \$300,000.00, and the infrastructure problems, such as, the streets of the City of Selma, and the sustainability of TrustBuild, etc. Mayor Perkins answered yes. Mayor Perkins stated in his estimation, all of the questions that had been asked for a response have been answered and he asked Council if they have any other questions specific to this transaction. Mayor Perkins stated according to rules for meetings, only a member of the Council that votes down a resolution can bring it back up. Mayor Perkins further stated to Council that he would respect their decision but that he has to ask each of them if they are willing to bring it back up or not. Councilman Williamson stated he is not willing to bring the resolution back up because the information that Mayor Perkins gave them indicated Mr. Striplin paid \$540,000.00 twenty years ago, paid taxes and he has got about \$650,000.00 in that land and it seems a million dollars is a little steep. Councilman Williamson further stated it could be worth it because that is what the appraisal said but he thinks that it is a lot of money for this land transaction. Mayor Perkins stated to Councilwoman Allen he hoped he had answered her questions and did not know if she has other questions but would be happy to answer any further questions she may have as best he knows. Councilwoman Allen stated she was very appreciative of Mayor Perkins in his attempt to answer her questions. Councilwoman Allen further stated she also has been due diligent to follow the Mayor's request to give questions, stating she did give her questions in writing, and would like to hear what the other questions were, if there were any, to see what those questions were. Councilwoman Allen stated she was not able to be at the Thursday meeting and is just now receiving documents which she would like to review, and at this time, will not change her vote. Councilwoman Allen stated after reviewing the documents she will be open to reconsideration. President Evans stated he is not at a point tonight where he will change his mind. President Evans further stated, as he has said in previous meetings, there are two things he thinks should happen with this matter; (1) have an open discussion with the public, and (2) have feedback from the citizens and taxpayers, who, some may agree or disagree with this. President Evans also stated there are a lot of questions from citizens that he cannot answer, and we should have a meeting with the public to discuss the land acquisition, and possibly outcomes in the

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purchasing of this land. President Evans stated the Council should sit down and outline the strategies of the purchase of the land and once that is done go before the citizens, informing them of the outline, and asking them for their feedback as to how they feel about the purchase. President Evans further stated he is open to reconsidering, provided a process takes place whereby everyone is on the same "page" with the property being purchased, and if so purchased, the plan, and then take the citizens in open meetings and ask for their feedback on the purchase of the land. Mayor Perkins stated to President Evans if this is what he feels, that he encourages he and the Council to call a public meeting. Mayor Perkins further stated he had been speaking with citizens recently at a Ward 6 meeting he attended, and in his interpretation, there was a strong outcry that the City needs to move forward with this transaction. Mayor Perkins stated he has taken the lead, and encourages President Evans and the Council members to take the lead, and represent the citizens, and vote based upon representing them. Mayor Perkins further stated he does not want to discard or discount the transaction for non-objective reasons. President Evans stated he has no problem doing what he has asked, but stated he would like to see himself, Mayor Perkins, and Council members sit down, and share their visions and ideas about the plan for this property, and move forward with it. President Evans further stated he has received a petition with several names of citizens who request that the Council vote against the land acquisition. President Evans also stated from his heartfelt reasoning, this is how he feels they should go about proceeding with the land acquisition, involving all of the parties. Councilwoman Crenshaw stated she wanted to mention two things; the Housing Authority situation with the property across the river, Minnie B. Anderson Homes (formerly Nathan B. Forrest Homes) was given away for a dollar. Councilwoman Crenshaw further stated we need to start looking at when a person is talking about saving, we need to look at that. Councilwoman Crenshaw also stated the St. James property was bought for \$125,000.00 which was very small, and that we need to find out how people really feel about spending City's monies. Councilwoman Crenshaw stated she thinks citizens should decide how the City's monies should be spent and that there should be a public hearing where citizens will come and express how they feel about the purchase of the land, and not the Council going into a meeting to do that. Mayor Perkins stated he did not say he would not participate in a forum; if the Council chooses to have a forum and invites the Mayor he would look forward to attending, and share the insight that he has. President Evans concurred, stating Mayor Perkins did not say he would not attend. President Evans further asked Council members to inform him as to what their feelings are about having a public hearing, and they would move forward from there. Mayor Perkins stated to Councilwoman Martin that he understands she has laryngitis. President Evans responded by saying Councilwoman Martin gave him something to read on behalf of her. President Evans stated Councilwoman Martin stated in terms of how she feels about the property purchase, "no I will not change my vote; I have received overwhelming requests and comments from my ward and beyond it, to vote against it; remember, "of the people, by the people, and for the people", is what her request is at this point". Mayor Perkins stated he respects that, and he asked Councilwoman Martin if she had seen the document he was holding up before? Mayor Perkins further stated he had come to the conclusion that a lot of what we are going to see and experience over the next couple of years is tied to "'08 Politics - Election Politics". Mayor Perkins also stated the public needs to understand there is going to be a tremendous amount of misinformation provided to it for consumption. Mayor Perkins stated to please be mindful of the source. Mayor Perkins further stated he is in possession of a document that is on that slander website and he just wanted to ask Councilwoman Martin publicly if he has ever threatened her, and he wants the record to reflect that Councilwoman Martin shakes her head with a "no" because she has laryngitis. Mayor Perkins stated he wanted to make this clear. Mayor Perkins asked Councilman Cain what his position is at this point on bringing the resolution back up. Councilman Cain stated he cannot reconsider this transaction because of all of the "unknowns". Councilman Cain further stated he concurs with President Evans who well stated the process should possibly take place in reviewing a transaction of this nature, stating a million dollars is a lot of money. Councilman Cain also stated they were told at one time the property was for a cemetery, and then they were told later it was for a school, and thereafter, told it was for recreation. Councilman Cain stated because of all of the above, and a lot of "unknowns", they need to develop a plan if that is going to be the case for this property. Councilman Cain further stated one of the issues that the Council requested was a historical assessment of the property and that has not been done or completed, or even ordered at this time. Councilman Cain also stated an archaeological form has been provided and that should be done before any reconsideration for the purpose of this property. Councilman Cain stated he agrees with Councilwoman Martin, as well as, President Evans, that the consensus of the majority of the community he has been dealing with and talking to, are adamantly against this purchase, and this transaction. Councilman Leashore stated due to the five colleagues voting down another chance to move forward with the acquisition of 111 acres of land, at the meeting of October 23rd it was brought to his attention that the City owns 50 acres of

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land, just outside of the City limits on Highway 80. Councilman Leashore further stated after researching the 50 acres of land he is asking his five colleagues to take the lead in annexing this land so that the City can use this land for whatever purpose it can be used for. Councilman Leashore also stated there are no residents living on this land, therefore, it should not require a referendum of the people. Councilman Leashore requests that his five colleagues ask local delegations to assist in moving this forward, and getting it done. Councilman Williamson stated to President Evans that his suggestion is a good one. Councilman Williamson further suggests to have these public meetings to get some public input, and revisit this when they have a "handle" on what this land would be used for. Councilman Williamson also stated he wanted to respond to Councilwoman Crenshaw's comment about us becoming like Lowndes County. Councilman Williamson stated as someone who grew up on a farm for 18 years, and went to the public schools there, he wishes she would not talk about Lowndes County like that. Councilwoman Crenshaw stated when you go on television, standing in front of vacant stores, you are helping to perpetuate people leaving this City by telling them how deprived we are. Councilwoman Crenshaw further stated, you want us to be like Lowndes County, and that is why you are not there; you left it in a mess. President Evans stated he was in a meeting on yesterday at Calvary Church and the Mayor of White Hall was there who stated Lowndes County was nothing close to being a deprived area, but a popular moving forward community. Councilwoman Allen stated to President Evans she would like to say and make it known and a part of the record that in every part of the process she has attempted to listen to all sides, and will say that she also stated she does not agree with Councilman Williamson in the fact that a lot of this has to do with politics as it relates to her, stating he can speak for himself, or that he can allow him to speak for as many Council people who will allow him to speak, but that he will not speak for her. Councilwoman Allen further stated this is not politics with her, and that she does believe in business. Councilwoman Allen also stated she tries to be professional, and she listens. Councilwoman Allen stated she has already stated that she would reconsider but she is fair about the process. Councilwoman Allen further stated she disagrees that she has politics involved with this, stating that is not the purpose. Councilwoman Allen also stated she is supporting, and has a "stance" for Ward 4, and she encourages the Council to ask their constituents how they feel. Councilwoman Allen stated she, too, has been listening to constituents and has received many, many calls but this is not politics for her, but business for her. Councilwoman Allen further stated she goes through the process and is very thorough. Councilwoman Allen also stated the questions that were answered by the Mayor were all of her questions, so she is going through the process.

B. Holiday Season Observance. Mayor Perkins stated Thanksgiving Day Holiday will be observed on Thursday, November 23rd and Friday, November 24th, and City Hall will be closed. Mayor Perkins further stated Christmas Eve Holiday will be observed on Friday, December 22nd, and Christmas Day on Monday, December 25th, and at present, we will return to work on Tuesday, December 26th.

C. BellSouth Contract - Proposal. Mayor Perkins stated Council should have in their packets a copy of the BellSouth Contract proposal. Mayor Perkins further stated Ms. Lois Williams has taken the lead in working with BellSouth in an attempt to get our telecommunications resolved. Mayor Perkins also stated Council has already approved the process for the Police Department, and the proposed contract that they have in their possession will do the same thing for City Hall. Mayor Perkins stated the proposed contract outlines some interesting savings that they will go over at the next work session. Mayor Perkins further stated that he did not expect the Council to take any action at tonight's meeting but after review, would like for the Council to act on very soon, and move forward. During discussion, a motion was made by Councilwoman Crenshaw, and seconded by Councilwoman Martin, to approve said BellSouth Contract proposal for City Hall. **A roll call vote was taken and the motion passed with a unanimous vote of the Council.**

D. Sublease Agreement for ProHealth Selma, Incorporated. Mayor Perkins asked Ms. Bridgett Mills to come forward and address the Council. Ms. Mills stated as indicated in the memorandum from Mayor Perkins a request to waive the notification period that is required in the Sublease Agreement for Good Samaritan was received from ProHealth Selma, Incorporated on September 20, 2006. Ms. Mills further stated the Lease Agreement was signed by ProHealth Selma on July 21st for medical office space at Good Samaritan, and would have run from May 2005 - May 2006. Ms. Mills also stated the reasons indicated came as a result of the resignation of the collaborating physician that was working with the Clinic. Ms. Mills stated as the Clinic was going through the process to become a federally qualified health clinic, part of that requirement included the collaborating physician providing his provider number for the Clinic which would have been

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listed on prescriptions, and that raised concerns with the primary clinic doctor providing assistance and, therefore, he immediately resigned. Ms. Mills further stated the Nurse Practitioner that was hired by ProHealth Selma was no longer allowed to see patients. Ms. Mills also stated that the Bureau of Primary Care also informed ProHealth Selma on August 23rd that they were currently already funding a local Federally Qualified Health Center here in Selma, and to qualify ProHealth Selma would have been a duplication of service and, therefore, the application was denied. Ms. Mills stated with the second reason causing them not to get their qualification as a Federally Qualified Health Center this caused them an inability to receive their Medicaid number. Ms. Mills further stated with all of these variables, it handicapped them from the ability to see patients and for that reason they will not be able to continue their collaboration with Good Samaritan and the project, resulting in the request to terminate their lease agreement. Ms. Mills also stated these transactions came after the initial date that the lease would have been automatically renewed. Ms. Mills stated ProHealth Selma is asking that they honor the request to waive the notification, and allow the initial term of the contract to term at that last date of May 8, 2006. During discussion, a motion was made by Councilwoman Crenshaw, and seconded by Councilwoman Martin, to approve the request to waive the notification required in the sublease agreement for ProHealth Selma, Incorporated, provided the details for the reasons be specified, and reflected in the minutes, as stated above. **The motion carried with a unanimous vote (show of hands) of the Council.**

E. Alabama Department of Mental Health and Mental Retardation - Contract. Mayor Perkins stated Ms. Charlotte Griffith presented this contract, and the details of the contract were explained at Thursday's Work Session, and he asks Council's favorable consideration of said contract. A motion was made by Councilwoman Crenshaw, and seconded by Councilman Leashore, to approve said Contract. **The motion carried with a unanimous vote (show of hands) of the Council.**

F. Resolution R118-06/07 - Contract with Alabama A&M University - DCPUS. Mayor Perkins stated this resolution authorizes a portion of the Lodging Tax in the amount of \$4,020.00 for a contract with Alabama A&M University, from the DCPUS (Department of Community Planning and Urban Studies), to provide technical assistance for the planning process for the revitalization of Historic Downtown Selma. Mayor Perkins asks Council favorable consideration of said resolution. A motion was made by Councilman Randolph, and seconded by Councilman Leashore, to approve said Resolution. **A roll call vote was taken and the motion passed with a unanimous vote of the Council.**

G. Memorandum of Agreement - City of Selma and Coley Chestnut - Selma Dallas Prevention Collaborative. Mayor Perkins stated this part of the three-part transaction was also discussed at Thursday's Work Session. Mayor Perkins also stated in this agreement the City of Selma agrees to pay Mr. Coley Chestnut, Program Coordinator for this project, the sum of \$40,000.00, for services rendered. Mayor Perkins asks Council's favorable consideration of said Memorandum of Agreement. A motion was made by Councilman Leashore, and seconded by Councilwoman Crenshaw, to approve said Memorandum of Agreement. **A roll call vote was taken and the motion passed with a majority vote of the Council. There were eight ayes and one nay vote. Councilman Williamson cast a nay vote.**

H. TransGlobal Realty Advisors - Contract. Mayor Perkins stated this Contract represents a development company, based in Washington, D.C., that will be providing technical assistance to project planning for projects related to Riverfront, Water Avenue Streetscape, Franklin Street and throughout the City. Mayor Perkins further stated the Planning and Development office did a tremendous amount of research, and identified a company that has the capacity to do this type of work for a community of our size. Mayor Perkins also stated this was discussed and proposed at Thursday's Work Session, and asks for Council's favorable consideration of said Contract. During discussion, a motion was made by Councilman Leashore, and seconded by Councilwoman Crenshaw, to approve said Contract. **A roll call vote was taken and the motion passed with a unanimous vote of the Council.**

I. Resolution R117-06/07 - Absolute Excavating, Incorporated. Mayor Perkins stated this Resolution authorizes us to proceed with the contract, in the amount of \$763,330.00 with Absolute Excavating, Incorporated, for the purpose of the East Selma Community Development Block Grant for Ward 8. Mayor Perkins further stated this resolution was also discussed at Thursday's Work Session, and asks for Council's favorable consideration of said Resolution. A motion was made by Councilwoman Venter, and seconded by Councilman Leashore, to approve said Resolution. **A roll call vote was taken and the motion passed with a unanimous vote of the Council.**

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J. Resolution R109-06/07 - Police Department Uniform Bid. Mayor Perkins stated this Resolution represents the annual bid for the Police Department Uniforms. Mayor Perkins further stated the bid tabulation sheets are attached, and asks for Council's favorable consideration of said Resolution. A motion was made by Councilwoman Venter, and seconded by Councilwoman Martin, to approve said Resolution. **A roll call vote was taken and the motion passed with a unanimous vote of the Council.**

K. Resolution R114-06/07 - Fire Department Uniform Bid. Mayor Perkins stated this Resolution represents the annual bid for the Fire Department Uniforms. Mayor Perkins asks for Council's favorable consideration of said Resolution. A motion was made by Councilman Leashore, and seconded by Councilwoman Venter, to approve said Resolution. **A roll call vote was taken and the motion passed with a unanimous vote of the Council.**

L. Recruitment of Industries in the City. Mayor Perkins stated if the Council recalls, in the past we have been doing some recruitment of industries in the City, and in those industry recruiting efforts, including this one, there is some secrecy that is put on the City and Team Selma about non-disclosure of names. Mayor Perkins further stated for some of these transactions it is necessary for the City and the County, Economic Development Authority, and Craig Industrial Authority Board to put aside some monies and resources for the purpose of recruiting those industries. Mayor Perkins also stated he would like to ask the Council for \$8,600.00 to be appropriated from the unappropriated lodging tax money, which does include as part of its specific purpose, economic development money. Mayor Perkins stated this is a shared cost between the City and the County, and the Economic Development Board and Craig Industrial Authority Board are paying comparable amounts, and we need to move forward with this transaction. A motion was made by Councilman Williamson, and seconded by Councilwoman Martin, to approve the appropriation of the \$8,600.00 from the unappropriated lodging tax money for the purpose of the industry recruitment project. **A roll call vote was taken and the motion passed with a unanimous vote of the Council.**

M. Announcement at St. James Hotel. Mayor Perkins stated he would like to invite Council members and Citizens to come and hear an announcement that will be made at the St. James Hotel tomorrow at 2:00 p.m., as it relates to a specific economic development in the City. Mayor Perkins encourages everyone to come and hear the good news.

N. Issues of Attacks. Mayor Perkins stated he understands politics a lot better now, and that he is not disappointed, nor surprised, about the recent onset of attacks and misinformation. Mayor Perkins further stated he wants the constituents and the City of Selma to know that when he responds to those issues, such as, the non-sense rumor that he does not live within the City of Selma, he is simply giving the truth of the matter, and would just ask the public to make their mind up, but to consider the source.

O. Merit Increases - Fire Department and Public Safety. Mayor Perkins stated that there are two things to consider with this issue; it is incorrect to state that the money is not in the budget for the FLSA step increase for the fire and police departments. Mayor Perkins further stated the difference now is when the Council passed the pay plan it is a part of the process now that the Council has to vote on and approve any pay increase; it is not automatic anymore. Mayor Perkins also stated the FLSA was automatic before and if the Council wants to approve it, we can pay it. Mayor Perkins stated if the Council does not want to approve it, we do not pay it. Mayor Perkins stated with the potential for the merit increase and the cost of living increase, in both instances, the Council has to approve it prior to passage of the budget, which was not done this year. Mayor Perkins further stated we just went through the process less than 12 months ago and it really did not make sense to do that this year. Mayor Perkins also stated that they looked at merit increases and the cost of living increases for next year, but again, the Council would have to approve it. Councilman Williamson asked President Evans if this could be referred to the Public Safety Committee to review and make a recommendation on? President Evans stated this can be referred to the Public Safety Committee, and would ask that the Committee review it and make a recommendation, prior to the next fiscal year's budget being adopted.

P. News Report - "Bust or Boom". Mayor Perkins stated he has one final note and he feels it has been well advertised about this news report, on Channel 8 tonight, "Bust or Boom". Mayor Perkins further stated he would say to all of us in Selma that a lot of what we do and say creates an atmosphere that makes it very difficult for Team Selma, Economic Development

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Authority, Craig Industrial Board Authority, the City and County, to do industry improvements. Mayor Perkins also stated when we discount the fact that in the City of Selma this year alone we have done over Twenty-Eight Million Dollars in new construction; when we discount all of the housing project developments that are going on in our City; when we discount the fact that we have created over 1,200 new jobs at Craig Industrial Park since 2004; when we discount all of the industry recruiting and all of the infrastructure improvements that have been done on South Dallas, Craig, and in the City of Selma, and consistently say to people that the City is going down, you are actually contributing to the problems that we are experiencing. Mayor Perkins asked that everybody just be fair, and be truthful. Mayor Perkins stated the unemployment rate has been over 15%, and that is where it has been for years, and for it to be down now between 6 and 7%, and sustainable at that level; that is nothing short of a miracle. Mayor Perkins further stated for people to sit back and say we are "bust" is amazing. Mayor Perkins also stated we have gone through all of these financial mergers; Wachovia, SouthTrust, and now with Regions and AmSouth. Mayor Perkins stated when Regions and AmSouth attempted to merge, AmSouth could not be consumed by Regions because AmSouth would have put too much of the market share within one bank in our community. Mayor Perkins further stated AmSouth did not end up closing. Mayor Perkins also stated a Canadian bank, an international bank, saw this community as an investment opportunity, and came to Selma to open up a bank. Mayor Perkins stated he wants people to really reconsider some of the things that are being said about our community. Mayor Perkins further stated he is asking the citizens to stop, and open their eyes, and really look at what is going on in our community. Mayor Perkins also stated, on the question of "Boom or Bust", Selma really is "Booming" like it has never "Boomed" before. Mayor Perkins stated he thinks that it is a collaborative effort of everybody. Mayor Perkins further stated even though there may be "naysayers" in the community, as well as, on the Council, he feels the majority of the Council has actually afforded some of this to happen. Mayor Perkins also stated he thinks it is strange that for those of us who have been challenged and charged to move the community forward, to get out and "trash" it, while we are trying to move it forward, is confusing and lacks reasoning. Mayor Perkins stated this is doing harm to your own community where you live in when this is done; when you do harm to Selma, you are destroying your own livelihood, your own community. Mayor Perkins further stated, "do what you want to, to him, but back off of Selma". Mayor Perkins also stated instead of "trashing" Selma, he makes an appeal that we all get together and celebrate our community. Mayor Perkins stated he has the video of the news segment and would like to share it towards the end of the Council meeting for the Council and citizens present to see, if Council is in agreement for him to show it. President Evans and Council members stated they would like for Mayor Perkins to show the video. President Evans further stated, as a Council member, we as a Council set the tone, and our citizens react to us. President Evans also stated he thinks it is important as a Council that they learn to communicate better with each other, with the Mayor and he with them, and learn how to respect one another. President Evans stated we as a Council need to learn how to respect citizens; when we sit here in meetings and attack citizens while they are out there sitting -- Council members, until we learn to respect one another there are going to be problems; we are the leaders of over 19,000 people. President Evans further stated citizens look to us for leadership; when we, 9 or 10 individuals, who are elected officials for the City, chooses to demonstrate certain types of conduct, then how can we tell them how to act, and we do not conduct ourselves like we should? President Evans also stated we need to find a way to stop attacking each other, and deal with the issues of business and not personal. President Evans further stated to Mayor Perkins he feels the key to it all is that we set the tone as Council members, that is positive. President Evans also stated he truly believes that we can send a message that we are moving forward together, rather than separate. President Evans stated as Council members we are not making the grade but he is willing to do whatever it takes to work with the Mayor and all of you. President Evans further stated he is an individual thinker, and will make decisions based upon what he thinks is fair and right.

II. CITY ATTORNEY'S REPORT

Attorney Nunn began his report by expressing gratitude for the warm thoughts and expressions of sympathy and condolences he and his family received during the recent loss of his father.

A. Resolution R113-06/07 - Leaf Loader - Public Works Department Bid. Attorney Nunn presented Resolution R113-06/07 as it relates to a bid contract for a leaf loader for the Public Works Department in the amount of \$31,523.00, with payment in arrears after one year of five annual payments of \$7,199.49 for 60 months. Attorney Nunn asks Council consideration and

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approval. During discussion, Resolution R113-06/07 was tabled until the next Council meeting for action.

A. Selma Water Works Board Appointment and Salary Discussion. Attorney Nunn stated he was not at the last Council meeting but it seems from the conversation that the Council had with the Mayor's office, Water Board Attorney, the Attorney General's office and himself, information would be summarized in the document, which he received in his office on today. Attorney Nunn further stated he had not had a chance to review the document as of yet. Attorney Nunn also stated he would meet with the Water Board Attorney and review the document, and report back to the Council with a recommendation during the next Council meeting.

Councilman Williamson asked Attorney Nunn if the appeal of the judgment against the City had been filed yet, and Attorney Nunn stated due to the fact that he had been out of the office recently, he had not filed the appeal as of yet. Councilman Williamson also asked Attorney Nunn if there was anything new on the Tower Suit, and Attorney Nunn stated there was nothing new. Attorney Nunn further stated as far as he knows, there are no new claims or lawsuits against the City at present.

President Evans expressed to Attorney Nunn their well wishes for him, and best of strength in the loss of his father. President Evans stated to Attorney, as a Council, they want to offer their Deepest Sympathy, Condolences and Prayers, in the loss of his father.

BUSINESS ITEMS:

I. INDUSTRIAL BOARD RESIGNATION AND APPOINTMENT

President Evans stated to the Council he is resigning from the Industrial Board and would like to appoint the Administrative Committee for the purpose of coming up with a replacement for him on the Industrial Board of Selma. President Evans further stated he has been on the Board for some 9 or 10 years, and that he was appointed to the Board while he was Superintendent of Dallas County Schools. President Evans also stated because he is on the Board, and has authority to appoint members to the Board, this may cause some concerns with him being on the Board and a Council Member. President Evans read the law in its entirety, and stated, based upon his findings, he is a part of a municipality as mentioned in the law, and that creates a problem. President Evans further stated that was not the case when he was appointed. President Evans also stated he would like to ask the Administrative Committee to come up with names and individuals to replace him on that Board as soon as possible.

II. SCHOOL BOARD RESIGNATION

President Evans asked Council if they recall, we do have a school board vacancy that the Chairman is working on, and only one individual has made application to be a school board member, and one additional application was received today. President Evans stated since that time, we have another vacancy; Mr. James Ware has resigned as a school board member. The question was asked as to the status of the consent decree, and Attorney Nunn stated the consent decree is still pending. Councilman Williamson stated that they are still taking applications until 4:00 p.m. on tomorrow, and will follow the same procedure in the application process.

III. THANKSGIVING HOLIDAYS FOR EMPLOYEES

President Evans stated the Thanksgiving Holidays for employees was taken care of during Mayor Perkins' report. Mayor Perkins stated observance for Thanksgiving Holiday will be observed on Thursday, November 23rd and Friday, November 24th for employees to be off. A motion was made by Councilwoman Martin, and seconded by Councilman Leashore, to approve said Thanksgiving Holidays for employees. **The motion carried with a unanimous vote (show of hands) of the Council.** President Evans stated the Christmas Holidays will be approved at the next Council meeting.

IV. POLICE DEPARTMENT

Councilman Williamson stated he would like to make a motion through Council President Evans that the Selma City Council and the Chairman of the Public Safety Committee contact the FBI, ABL, and the AG's office, asking them to investigate the attempted assassination of Police Chief Martin, and report a response of the agencies to the Council. Councilman Cain seconded

BUSINESS ITEMS:

that motion. Councilman Leashore stated he wanted to amend the motion and that the investigative agencies include in their investigation the website Angelfire. Councilman Leashore further stated he thinks the Angelfire website is the inflammatory information that is being shared, and placed there incorrectly. Councilwoman Crenshaw seconded the amended motion, stating she concurs with Councilman Williamson and Councilman Leashore because she had it on the agenda to ask the same thing. Councilwoman Crenshaw further stated it is wrong what is on that website; it has the Chief's address and other pertinent information out there, and that can be detrimental. President Evans called for a vote on the initial motion stipulated and made by Councilman Williamson, and seconded by Councilman Cain, as well as, the amended motion made by Councilman Leashore, that it also includes investigation of the website Angelfire as a possibility of finding out its origin, and seconded by Councilman Crenshaw, and moving forward with this, and that the agencies will report back to the Council their findings of this investigation. Councilwoman Crenshaw stated she wanted to make as part of the record, that whoever is found guilty of this, is prosecuted to the fullest extent under the law, for defamation of character, misinformation, and putting people in harm's way. **A roll call vote was taken and the motion passed with a unanimous vote of the Council.**

V. SALES TAX

Councilman Williamson stated at the last Council meeting there was a report that has one figure about how much sales tax we are getting in, but then when they got the preliminary report, the budget to actual report, it shows \$600,000.00 less in sales tax than is shown on the sheet. Councilman Williamson further stated he thinks Ms. Cynthia Mitchell explained that this is the check that we get from AlaTax, and that it does not all go in the City's sales tax account, and he wants to know if that is correct? Ms. Mitchell clarified his question; she said that is correct, and it represents the General Fund account. Councilman Williamson stated that was all he needed to know.

VI. DRUG TASK FORCE

President Evans stated he is not sure where the Council is on the additional funding which the District Attorney's office has asked for in the amount of \$20,000.00 for the Drug Task Force, but would like to know what the Council would like to do about that. He further asked how much is the Council willing to give this year, and where will the funds come from? Councilman Williamson stated he would motion to give the same amount of \$15,000.00 as last year, out of unappropriated surplus. President Evans asked Ms. Cynthia Mitchell, through Mayor Perkins, whether the payments last year were made quarterly or monthly? Ms. Mitchell stated payments were made monthly last year. On a motion made by Councilman Cain, and seconded by Councilman Williamson, it was approved to allocate \$15,000.00 to the Drug Task Fund, equally spread out between January, 2007 and September, 2007, in increments of \$5,000.00 per quarter. **A roll call vote was taken and the motion passed with a unanimous vote of the Council.**

VII. WORK SESSION MINUTES

President Evans stated he had spoken with the League of Municipalities and they confirmed if they have a quorum of council members in a meeting there has to be someone in place to take minutes of the meetings. President Evans further stated this is a part of the new Sunshine Law, in that if a work session is held someone would have to be present to take minutes of that meeting in order to meet the guidelines of the new Sunshine Law. Mayor Perkins asked if the Council would consider the Council's Secretary for recording of the work session minutes? President Evans stated that was an option, given the fact that anyone could be designated to do so. President Evans further stated if it is the pleasure of the Council then, in the event of a work session meeting, the council secretary would attend work sessions for the purpose of taking and recording minutes. It was the consensus of the Council that the Council's secretary, Ms. Diana Johnson, would be present to take minutes whenever there is a work session.

VIII. CITY OWNED PROPERTY FOR ANNEXATION

Councilman Leashore respectfully requested the five Council people that voted down the 111 acres of real estate to take the lead in annexation of the 50 acres of land just outside of Selma, on Highway 80, East. Councilman Leashore stated there is no one living on this land and it would not require any feedback from the citizens, to put this land into use. Councilwoman Allen stated, as a matter of record, in the land purchase that has already been discussed, it would not make an answer for her for this particular issue. Councilwoman Allen further stated since they are a Council, they, as the number of them, can make the charge. Councilman Leashore stated he does

BUSINESS ITEMS:

not mind taking the charge but he respectfully requests that he has the support of his colleagues. Councilman Cain asked why would the City in the past purchase the property outside of the police jurisdiction, if they were not planning to use it? Councilman Cain further stated he thinks the Council should look at that, and see if it can be used outside of the Police Jurisdiction for a purpose; such as, a landfill. Councilman Cain also stated he would like to have an answer on this before he votes. Councilman Williamson asked if whomever made the motion can explain to him what all would be annexed. Councilman Leashore stated if he was going to make that charge he wants to bring in everything that can, that is within police jurisdiction that does not have residents in there, which may necessitate bringing in land that is not part of the 50 acres, and still be good for the City. A motion was made by Councilman Leashore, and seconded by Councilwoman Allen, to annex the 50 acres of land the City owns, and all of the property involved in that area, on Highway 80, East. A roll call vote was taken and the motion passed with a majority vote of the Council. There were six ayes and three nay votes. Councilman Cain, Councilwoman Martin, and Councilman Williamson cast nay votes.

IX. PROCEDURE FOR INSTALLING MICROBOARDS COPYWRITER LIVE CD WRITER

President Evans stated he believes the CD Rom that they approved and purchased has been installed and is operational tonight. President Evans further stated he hopes it works perfectly. President Evans thanked Ms. Williams, along with their Assistant City Clerk, Ms. Ivy Harrison, for getting that done. President Evans stated he does not know how it will work out but if it's got some "bugs", we will just work it out by trying to fix those "bugs".

CLOSING REMARKS BY EACH COUNCIL MEMBER (2 MINUTE LIMIT)

Councilwoman Venter - No comments at this time - would make comments during Standing Committee Report.

Councilman Cain - No Comments.

Councilman Randolph - No Comments.

Councilwoman Martin - No Comments.

Councilwoman Allen - No Comments.

Councilman Leashore - No Comments.

Councilman Williamson - No Comments.

Councilwoman Crenshaw - No Comments.

President Evans - President Evans stated there are six discretionary requests going around, and he needs them back; he would like to be able to give a total at end of meeting.

STANDING COMMITTEE REPORTS

ADMINISTRATIVE COMMITTEE - COUNCILMAN CECIL WILLIAMSON, CHAIRPERSON

Councilman Williamson stated he has given everybody a copy of his report to read for themselves. Councilman Williamson further stated the process for nominating school board members will be followed until 4:30 p.m. on tomorrow. Councilman Williamson also stated 3 people have already applied. Councilman Williamson stated one person has applied for the Municipal Judge position, which has been extended until next Tuesday.

PUBLIC SAFETY COMMITTEE - COUNCILWOMAN GERALDINE ALLEN, CHAIRPERSON

Councilwoman Allen stated there is no report for tonight. Councilwoman Allen further stated that the Committee is waiting on a document Mr. Rutledge is preparing for review.

STANDING COMMITTEE REPORTS

COMMUNITY DEVELOPMENT COMMITTEE - COUNCILWOMAN BENNIE CRENSHAW,
CHAIRPERSON

No Report.

PUBLIC WORKS COMMITTEE - COUNCILWOMAN VENTER, CHAIRPERSON

Councilwoman Venter stated she is still asking the Council for the extra \$200.00 for additional work on streets, etc. Councilwoman Venter thanked the Public Works Department for doing a good job. Councilwoman Venter further stated she is having a Ward 8 meeting at 6:00 p.m. at Shiloh Baptist Church, on Monday, November 20th.

RECREATION COMMITTEE - COUNCILMAN JOHNNIE LEASHORE, CHAIRPERSON

No report.

COMMUNITY DEVELOPMENT - COUNCILWOMAN CRENSHAW, CHAIRPERSON

No report.

DISCRETIONARY FUNDS COMMITTEE - PRESIDENT EVANS

President Evans stated he does not have all of the figures back on the discretionary requests; cannot make a report at this time.

ADJOURNMENT

There being no further business to come before the Council, a motion was made by Councilman Leashore, and seconded by Councilwoman Allen, to adjourn, and by unanimous consent of the Council, this meeting adjourned at 8:15 p.m.




GEORGE P. EVANS, COUNCIL PRESIDENT

ATTEST:



LOIS WILLIAMS, CITY CLERK

APPROVED:



JAMES PERKINS, JR., MAYOR